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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,800	12/20/2004	Christopher Ledger	102792-383	3625

27389 7590 08/08/2007  
NORRIS, MCLAUGHLIN & MARCUS  
875 THIRD AVE  
18TH FLOOR  
NEW YORK, NY 10022

EXAMINER

WOOD, ELLEN S

ART UNIT	PAPER NUMBER
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1709

MAIL DATE	DELIVERY MODE
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08/08/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/518,800	LEDGER ET AL.	
	Examiner	Art Unit	
	Ellen S. Wood	1709	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 10/518800.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/20/04, 1/27/05, 5/09/05</u> .                              | 6) <input type="checkbox"/> Other: ____.                          |

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for priority under 35 U.S.C. 119(a)-(d) based upon an application filed in the United Kingdom on June 20, 2003. A claim for priority under 35 U.S.C. 119(a)-(d) cannot be based on said application, since the United States application was filed more than twelve months thereafter.

### ***Claim Objections***

2. Claim 5 is objected to because of the following informalities: The units of the liquid composition are in grams/cm<sup>2</sup>, however, in the specification it is grams/m<sup>2</sup>, thus claim should read the same as specification. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Ledger et al. (GB 0214343.6). Applicants claim a moist wipe pre-moistened with an aqueous emulsion comprising paraffin wax, no silicone compounds, and water.

Art Unit: 1709

Ledger et al. disclose a moist wipe that is pre-moistened with a liquid composition. The liquid composition comprises a paraffin wax between the amounts of 0.05% to 10%, which is included in Applicants range for the paraffin wax (claims 1-4).

Ledger et al. disclose that the liquid composition includes water in an amount of 50% to 98%, which is in the range of claim 1 of Applicants application. (claim 5).

Ledger et al. disclose a liquid composition that includes an aliphatic C<sub>1</sub> to C<sub>4</sub> alcohol (claim 6).

Ledger et al. disclose that the liquid composition comprises no silicone compound or a silicone compound in an amount of less than 5% (claim 7).

Ledger et al. disclose the packaged product comprising a substantially airtight container have a re-sealable opening and wipe (claim 9).

Ledger et al. disclose that the intended use is for cleaning a surface (claim 10).

Ledger et al. disclose a method of manufacturing a wipe by providing a sheet material and moistening the sheet material with the liquid composition (claim 11).

Ledger et al. disclose the supply roll of sheet material is unwound to provide a continuously moving web of material (claim 12).

Ledger et al disclose the web of the material is slit to form perforated tear zones, or individual wipes in the form of a stack (claim 13).

5. Claims 1, 2, 4, 6-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Leacock (EP0392316 A1).

Leacock discloses a wiper for one step polishing and protecting of a hard surface such as wood (abstract). The wipe comprises a non-woven substrate impregnated with a liquid polish composition (abstract). The composition comprises from 0 to about 1.4% of an amino functional silicone fluid and from about 0.1 to about 1% of a wax (abstract). The water component will range from about 70 to about 98% by weight of the polish composition (pg. 5 lines 40-41).

Leacock discloses that the liquid polish composition comprises from about 0.1 to about 1% of a wax (page. 2 line 56). The wax may be selected from a wide variety of waxes including paraffin wax (pg. 4 lines 46-48).

Leacock discloses that the wipe comprises any suitable non-woven material having good wet strength and fluid absorbency (pg. 3 line 24).

Leacock disclose the amount of liquid composition loaded onto the wipe in the range of claim 5 of Applicants application (examples 1-6). Leacock discloses the amounts in grams per square yard but that was converted to Applicants grams per square meter.

Leacock discloses that the polish composition, examiner notes as the liquid composition, may be loaded onto the substrate, is disclosed as the sheet material, by procedures well known in the art such as by spraying or immersion (pg. 6 lines 32-36).

Leacock discloses that the invention should be packaged in a manner, which will maintain them in a moist condition. They may be individually packaged in moisture impervious envelopes or packaged in bulk form in canisters provided with suitable dispensing openings (pg. 6 lines 14-19). Leacock gives reference to U.S. Pat. No.

Art Unit: 1709

4,017,002, which discloses an airtight container for an elongated web of perforated wet impregnated tissue-like material, the web being free-flowing, having a minimum of friction within the container and provides a removable cap adapted to form a tight fit with the container (pg. 6 line 19).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen S. Wood whose telephone number is 571-270-3450. The examiner can normally be reached on Monday-Thursday 7:30am-5:00pm EST every other Friday off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Lawrence Tarazano can be reached on 571-272-1515. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1709

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ellen S Wood  
Examiner  
Art Unit 1709

**D. LAWRENCE TARAZANO**  
**PRIMARY EXAMINER**

A large, stylized handwritten signature in black ink, likely belonging to D. Lawrence Tarazano, is written over the printed name and title. The signature is fluid and cursive, with a large loop at the end.

Application/Control Number: 10/518,800

Page 7

Art Unit: 1709